

Please add the following claims.

--30. Self-adhesive sheet according to claim 11, wherein said backing layer is made of propylene or polyethylene film.

31. Self-adhesive sheet according to claim 11, further comprising a first textile structure arranged on the top surface of said backing layer and a second textile structure arranged on the bottom surface of said backing layer.--

REMARKS

Claims 11-29 and new claims 30 and 31 are now in this application. Claims 11-29 are rejected. Claims 11, 12, 16-18, 20, 22, 23 and 27-29 are amended herein to clarify the invention, to broaden language as deemed appropriate and to address matters of form unrelated to substantive patentability issues. Claim 27 is rewritten in independent form.

Applicant submits herewith a substitute specification and abstract wherein amendments are effected to place the text thereof into proper English in accordance with 37 C.F.R. §1.125(c). Also accompanying this amendment is a reproduction of the original specification and abstract with markings indicating the amendments effected in the substitute specification in accordance with MPEP §608.01(q) and

37 C.F.R. §1.125(b). No new matter is added. Entry of the substitute specification and abstract is respectfully requested.

Claims 11-29 are rejected under 35 U.S.C. §103(a) as being unpatentable over the Sieber reference (EP 0 567 110) in view of the Higgins reference (U.S. Pat. No. 4,647,484). The Examiner takes a position that in view of the Higgins reference, it would have been obvious to use plastic film as the backing layer for the double-sided adhesive layers of the Sieber reference.

Sieber, as best understood from the English-language abstract, describes an adhesive sheet for bonding a floor covering to a floor including a porous backing layer 1 impregnated with the same adhesive coating 4,5 on both surfaces by immersing the backing layer in a bath of this adhesive. A textile structure 2 is embedded in the adhesive coating 5 on one side of the adhesive sheet.

There are several differences between the invention as set forth in independent claims 11 and 27 and the adhesive sheet of the Sieber reference and method for applying it.

First, in contrast to the Examiner's assertions, the adhesive sheet according to the Sieber reference has the same adhesive strength on both surfaces of the backing layer and does not provide different adhesive strength on the different surfaces, i.e., the adhesive strength of the coating on the lower surface being lower than the adhesive strength of the coating on the upper surface to enable a residueless detachment of the self-adhesive sheet from the floor.

Second, as acknowledged by the Examiner, Sieber does not disclose a backing layer made of a polymer film. It also does not teach or suggest replacing the porous adhesive-impregnated backing layer, which allows adhesive flow therethrough, with a backing layer made of polymer film which is effective to separate adhesive coatings on respective surfaces of the backing layer and thus prevents adhesive flow therethrough.

The Higgins reference shows an underlay system for carpets including a lower foam rubber portion 14,16 and a Mylar upper portion 18 having adhesive 20,22 on both surfaces thereof to provide an attachment to the lower foam rubber portion and an adhesive upper portion for attachment to a carpet tile 25.

There are several differences between the between the invention as set forth in independent claims 11 and 27 and the adhesive sheet of the Higgins reference and the method for using it.

First, the Higgins reference does not disclose adhesive coatings on both sides of a film having an adhesive strength on the bottom surface lower than the adhesive strength of the coating on the top surface. The Higgins reference provides a double-sided adhesive sheet to bond the carpet tile permanently to the lower foam rubber portion. Since the adhesive strength of the lower adhesive coating 22 is not lower than the adhesive strength of the upper adhesive coating 20, a residueless detachment of the Mylar adhesive sheet design is not achieved and in fact, a detachment from the lower foam rubber portion is not even considered.

Second, the Mylar film 18 in the Higgins reference is designed to provide a high stability in all directions to make the underlay stable and should prevent the underlay from stretching between the tiles (see col. 1, lines 57-61). By contrast, a polymer film in the invention is more flexible than a Mylar film and can be soft and flexible. Thus, the disclosure of the use of a Mylar film should not be construed as the disclosure of all polymer films.

As such, Sieber and Higgins do not disclose a self-adhesive sheet including a polymer film with adhesive coatings on both surfaces with the adhesive coating on a lower surface being planar, adapted to be adhered to a floor and having a lower adhesive strength than the adhesive coating on the upper surface adapted to contact the floor covering. Thus, one could not combine these references and arrive at the embodiments of the invention set forth in the claims.

Furthermore, it is respectfully submitted that one skilled in the art would not be motivated to apply any teaching of Higgins with the adhesive sheet of Sieber because Higgins and Sieber relate to different applications. Higgins relates to a carpet underlay in which the underlay is attached, via a lower adhesive coating 20 on the Mylar film 18, to a glass scrim 16 onto which rubber material 14 is foamed. By contrast, in Sieber, the lower adhesive coating 4,5 of the adhesive sheet is designed to bond directly to the floor without any intervening rubber foam layer. Thus, Higgins and Sieber relate to different floor covering applications and one skilled in the art would not be motivated to apply any teachings of Higgins in combination with Sieber.

In addition, with respect to claim 18, Sieber and Higgins do not disclose the use of different adhesive in the coatings on the upper and lower surfaces to obtain

the different adhesive strengths. In Sieber, the adhesive is the same in view of the porous nature of the backing layer and in Higgins, no explicit mention is made of using different adhesives having different adhesive strengths to enable a residueless detachment of the underlay from the floor.

In view of the changes to the claims and the arguments presented above, it is respectfully submitted that the Examiner's rejection of claims 11-29 has been overcome and should be removed.

New claims 30 and 31 are added. Claim 30 specifies that the polymer film is propylene or polyethylene. These polymers are not disclosed in Sieber or Higgins. Claim 31 specifies that a textile structure is arranged on both surfaces of the backing layer. This feature is not disclosed in Sieber or Higgins.

Two further claims in excess of twenty are added. Accordingly, please charge the fee of \$18 to Deposit Account No. 10-1250.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-1250.

Respectfully submitted,

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enc: Substitute Specification; and Marked reproduction of original specification and abstract.



F-6817

Ser. No. 09/762,530

APPENDIX I

AMENDED CLAIMS WITH AMENDMENTS INDICATED THEREIN BY BRACKETS AND UNDERLINING

11. (Amended) Self-adhesive sheet for bonding a floor covering to a floor, comprising:

a backing layer having a top surface adapted to face the floor covering and a bottom surface adapted to face the floor;

a first pressure-sensitive adhesive coating [which is] coated on [a] the top surface [, facing the floor covering,] of said backing layer; and

a second pressure-sensitive adhesive coating coated on [a] the bottom surface [, facing the floor, with a pressure-sensitive adhesive coating] of said backing layer, [the] said first pressure-sensitive adhesive coating having a different adhesive strength [on the two surfaces] than said second pressure-sensitive adhesive coating and the adhesive strength [on the bottom surface] of said second pressure-sensitive adhesive coating being lower than [that on the top surface] the adhesive strength of said first pressure-sensitive adhesive coating, [the]

said backing layer comprising a polymer film, [and]

[the] said second pressure-sensitive adhesive coating [at least on the bottom surface] being planar,

the self-adhesive film having a minimum width of 350 mm for extensive coverage of the floor to be covered with the floor covering.

12. (Amended) Self-adhesive sheet according to Claim 11, [wherein the self-adhesive sheet has] further comprising a textile structure arranged at least on [the] said top surface of said backing layer.

16. (Amended) Self-adhesive sheet according to one of Claims 11 to 14, wherein the adhesive strength of [the bottom surface] said second adhesive coating expressed as adhesive force, measured in accordance with DIN 1939, is about from 0.8 to 5 N.

17. (Amended) Self-adhesive sheet according to one of Claims 11 to 14, wherein the different adhesive strength [of the two surfaces] said first and second adhesive coatings is brought about by different adhesive application rates expressed as weight of adhesive per unit area of surface, the surface with the greater adhesive strength having a higher adhesive application rate.

18. (Amended) Self-adhesive sheet according to any of Claims 11 to 14, wherein [the] said first pressure-sensitive adhesive coating [on the top surface] comprises pressure-sensitive adhesive different from [that on the bottom surface] the pressure-sensitive adhesive coating of said second pressure-sensitive adhesive coating.

20. (Amended) Self-adhesive sheet according to one of Claims 11 to 14, further comprising a removable cover film arranged on [at least] the top surface of said backing layer.

22. (Amended) Self-adhesive sheet according to claim 16, wherein the adhesive strength of [the bottom surface] said second adhesive coating expressed as adhesive force is about 1.5 N to 3 N.

23. (Amended) Self-adhesive sheet according to claim 22, wherein the adhesive strength of [the bottom surface] said second adhesive coating expressed as adhesive force is about 2.0 N to 2.6 N.

27. (Amended) A method [of] for bonding a floor covering to a floor comprising: [interposing a self-adhesive sheet according to claim 11 between the floor covering and the floor]

coating a top surface of a backing layer comprising polymer film with a first pressure-sensitive adhesive coating;

coating a bottom surface of the backing layer with a second, planar pressure-sensitive adhesive coating, the first pressure-sensitive adhesive coating having a different adhesive strength than the second pressure-sensitive adhesive coating and the adhesive strength of the second pressure-sensitive adhesive coating being lower than the adhesive strength of the first pressure-sensitive adhesive coating;

adhering the bottom surface of the backing layer to the floor by means of the second adhesive coating; and

adhering the floor covering to the backing layer by means of the first adhesive coating.

28. (Amended) A method according to claim 27, [in which] wherein the floor covering is a carpet.

29. (Amended) A method according to claim 28, [in which] wherein the floor is parquet.